

**BEFORE THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**

**APPLICATION OF
MS. JENNISEY BASART &
MR. PAUL BECKMAN**

**912 G St SE
ANC 6B**

**STATEMENT OF THE APPLICANT
AMENDMENT**

NATURE OF THE RELIEF SOUGHT

This statement is submitted by Ms. Jennisey Basart and Mr. Paul Beckman, (the “Applicant”), as the owners of 912 G St, SE, (the “Property”), (Square 949, Lot 56). The Applicant seeks Special Exception relief to allow a rear single story roof deck on an existing single story garage in the RF-1 District. The Property presently has a 2 story rowhouse with cellar Single Family Dwelling and alley facing garage. The requested relief to title 11 DCMR is:

1. Lot Occupancy (Subtitle E-§304.1) allows a maximum of 60% lot occupancy . The existing structures cover 72% of the lot. The proposed deck would be constructed on the roof of the existing garage. While the existing lot occupancy would remain at 72%; the deck (305 sq. ft.) is sized to meet 70% Lot Occupancy. (986 sq ft)

JURISDICTION OF THE BOARD

The Board of Zoning Adjustment (the “Board” or “BZA”) has jurisdiction to grant the special exceptions requested herein pursuant to 11 DCMR Subtitle X-§901.2 of the 2016 Zoning Regulations.

BACKGROUND INFORMATION OF THE PROPERTY

The property is a mid-block rowhouse, in a RF-1 zoned lot of 1409 square feet improved by a two story brick, attached structure with a cellar originally constructed in 1925. The structure contains 1466 sq. ft. of livable area covering 681 sq. ft. A garage of 336 sq. ft. brings a total of 1017 sq. ft. (72%) lot occupancy. The dwelling is flanked to the east and west by attached rowhouses the length of the block. The opposite (south) side of G St, SE is similar. There is an alley in the block with similar rowhouses on 9th and 10th Streets with garages facing the shared alley.

The existing structures' footprints will not be changed. The adjacent properties have no solar installations. The proposal does not impact a chimney within 10 feet since the proposed deck is on the roof of a garage.

The property is within the boundaries of ANC 6B, located within the Capitol Hill Historic District. The existing buildings on the Property are not listed on the D.C. Inventory of Historic Sites.

DESCRIPTION OF IMPROVEMENTS IN THE SURROUNDING AREA

Square 949 is located in the Capitol Hill neighborhood. The square is bounded by E St SE to the north, 10th St SE to the east, G St SE to the south and 9th St SE to the west. The square is a uniform zoning district containing all residential structures, with one 8 unit condominium building. The lots in the square are of approximately similar sizes, with corner properties smaller and the condominium lot larger. The surrounding squares are similarly developed with rowhouse units.

A deck with lattice type enclosure similar to the one proposed in this Application is located as 24 3rd St NE.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

The Applicant is proposing to construct a 305 sq. ft. deck on the roof of the existing 336 sq. ft. garage. A new stairs would be constructed to access the roof deck. The existing footprint will not change the existing 72% lot coverage. However, the proposed deck is sized to remain within 70% Lot Occupancy. The adjoining garages are single story structures similar to this property's.

The property consists of the primary dwelling unit and the garage structure. There is a small 15 ft courtyard between them. The only available location for any addition/improvement on this small non-conforming, Historic District lot is above the garage.

The RF-1 zone requires a minimum lot size of 18ft width and 1800 sq ft. The applicant's lot is only 15.48 ft wide and 1409 sq ft.

The Lot Occupancy Exception is needed to allow any new structure since the existing structures occupy 72% of the lot. On a minimum size lot for the RF-1 zone, the 1017 sq ft of lot area would be only 57% lot occupancy. This non-conforming lot is 22% smaller than what is currently required, so even this small footprint requires Special Exception relief.

The structure was constructed 1925 and became non-conforming with introduction of the 1958 Zoning Regulations and perpetuated by the 2016 Zoning Regulations. Aside from the aforementioned request for exception, the Project complies

with the development standards for the RF-1 zoning district. The Project will not affect the main façade's existing architectural elements.

NATURE OF RELIEF SOUGHT AND STANDARD OF REVIEW

The Board of Zoning Adjustment is authorized under §8 of the Zoning Act, D.C. Official Code §6-641.07(g)(2), to grant special exceptions, as provided in DCRM Chapter 11, Subtitle X §901.2, where, in the judgment of the Board of Zoning Adjustment, the special exceptions:

- (a) Will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps;
- (b) Will not tend to affect adversely, the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps; and
- (c) Subject in specific cases to the special conditions specified in the Zoning Regulations 11 DCRM Subtitle X §901.2.

The Applicant's compliance under §901.3 with those requirements is:

THE APPLICANT MEETS THE BURDEN OF PROOF FOR SPECIAL EXCEPTIONS

Subtitle D, Section 5201.4 provides relief for the applicant by special exception when demonstrated that the addition or accessory structure shall not have a substantially adverse effect on the use or enjoyment of any abutting or adjacent dwelling or property, in particular:

- (a) The light and air available to neighboring properties shall not be unduly affected;

The proposed structure is on the roof of an existing garage at the rear of the property. The deck is to the north of neighboring properties and a full story lower than the main structures so no added shadows will be cast onto the adjoining yards. Therefore the light and air of adjacent neighbors will not be negatively impacted. There are no existing or permitted solar energy systems in proximity to the proposed construction. Finally, the height of the proposed deck is within the zoning district's height limitations.

- (b) The privacy of use and enjoyment of neighboring properties shall not be unduly compromised;

The privacy and use of enjoyment of the neighboring properties shall not be unduly compromised. The deck has a "lattice" type enclosure to provide privacy to both the occupants and preclude views into neighboring properties. A Public alley is to the rear of the proposed deck.

- (c) The addition or accessory structure, together with the original building, as viewed from the street, alley, and other public way, shall not substantially visually intrude upon the character, scale, and pattern of houses along the subject street frontage;

The proposed deck design has been discussed with the Historic Preservation Staff as consistent with the character, scale and pattern of the houses on the block. The deck stays below the existing primary structure height which is well below the allowed height. The rear deck is consistent in size with other decks and additions in the area.

- (d) In demonstrating compliance with paragraphs (a), (b) and (c) of this subsection, the applicant shall use graphical representations such as plans, photographs, or elevation and section drawings sufficient to represent the relationship of the proposed addition or accessory structure to adjacent buildings and views from public ways; and

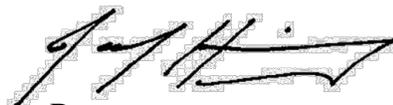
The Applicant has provided graphical representations vis-à-vis plat, plans, elevations, sections and photographs to represent the project and its relationship to the adjacent buildings and views from the public way.

CONCLUSION

For the reasons stated above, the requested relief meets the applicable standards for zoning relief under the Zoning Regulations. Accordingly, the Applicant respectfully requests that the Board grant the Application.

Respectfully submitted,

for



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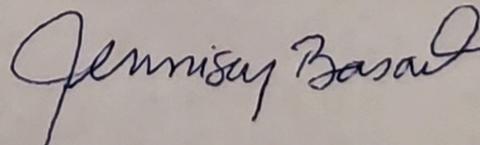
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The Applicant has provided graphical representations vis-à-vis plat, plans, elevations, sections and photographs to represent the project and its relationship to the adjacent buildings and views from the public way.

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